IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 4056 of 2002

Between:

Paper clipping of Eenadu Telugu daily newspaper dt. 20-2-02 containing the news under the caption "MAKU VIMUKTHI EPPUDU".

..... PETITIONER

AND

1 The Chief Secretary,
Government of A.P., Secretariat, Hyderabad.
2 The S.H.O.,
II Town P.S. Visakhapatnam, Visakhapatnam District.
3 The Superintendent of Police,
Visakhapatnam, Visakhapatnam District.
4 The Director General of Police,
Government of A.P., Hyderabad.
5 The Secretary, Government of A.P. Home (Police) Department,
Secretariat, Hyderabad.
6 The Secretary to Government of India, Ministry of Home Affairs,
New Delhi.
7 The Secretary to Govt. of India, Ministry of External Affairs,
Central Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an Order, Direction, or a Writ, more particularly one in the nature of Writ of Mandamus calling for the records and remarks from the respondents herein, in and connected to:- i) Incurring of an expenditure of Rs.30,000- to 50,000- by the Govt. of Andhra Pradesh for providing security, maintenance etc, to V. Krishna Murthy,

Sadgunalingam, S. Keshavan, and Subhash who were foreign nationals viz., crew members of a ship belonging to Honduras country, released from jail after completion of their sentence in view of threat to the nation; ii) The inaction on the part of the Central and State Governments in not departing the above said persons from India to their choice of countries; and to direct the concerned authorities to take action for the early deportation of the aforesaid persons from India.

Counsel for the Petitioner: TAKEN UP

Counsel for the Respondents: GP FOR HOME

The Court made the following Oral Order: (per Sri Devinder Gupta, CJ)

Paper Clipping of Eenadu Newspaper, dated 20.2.2002, under the caption "MAKU VIMUKTHI EPPUDU" was registered as taken up matter. Paper Clipping highlighted the amount of expenditure incurred by the Government for providing security and maintenance to four foreign nationals of Honduras country and the inaction on the part of Central and State Governments in not deporting them from India to the countries of their choice.

Affidavit in reply has been filed by Sri Bh. V. Narasimha Raju, Additional Sub-Inspector of Police, II Town L&O Police Station, Visakhapatnam City setting therein the details and deportation of four of the eight crew members. It is further stated that the four Srilankan Nationals of L.T.T.E. Cadre are still at Special Camp at II Town L&O Police Station, Visakhapatnam City. The Commissioner of Visakhapatnam had addressed a letter to the Director General and Inspector General of Police, Hyderabad on 3.3.2001 with regard to surveillance. It is also stated that as of today, one Assistant Reserve Sub-Inspector, eight Head Constables and twelve Police Constables were being deployed for purely surveillance duties and the Government is incurring heavy amounts for providing facilities to the four persons.

This affidavit was filed on 19.3.2002. We are not aware of the present day situation. In case, the four foreign nationals are still under surveillance and are not being deported, we direct Respondents 6 and 7 to take appropriate steps in deporting those four individuals to country outside India, in accordance with law. Appropriate action, if any, will be taken within a period of three months from the date of receipt of the Writ order from this Court.

The writ petition is accordingly disposed of. No costs.

_____ DEVINDER GUPTA, CJ

Date: 6th December, 2004

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M. NARAYANA REDDY, J

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To

1 The Chief Secretary,
Government of A.P., Secretariat, Hyderabad.
2 The S.H.O.,
II Town P.S. Visakhapatnam, Visakhapatnam District.
3 The Superintendent of Police,
Visakhapatnam, Visakhapatnam District.
4 The Director General of Police,
Government of A.P., Hyderabad.
5 The Secretary, Government of A.P. Home (Police) Department,
Secretariat, Hyderabad.

6 The Secretary to Government of India, Ministry of Home Affairs, New Delhi.

7 The Secretary to Govt. of India, Ministry of External Affairs, Central Secretariat, Hyderabad.

8 Two CCs to the Government Pleader for Home, High Court of A.P.,

Hyderabad (O.U.T.).

9 Two CD copies.